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**PATENT**  
Attorney Docket No. A-57004-4/RFT  
Client Matter No. 466252-9

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent of  Kapoor, et al.  Serial No.: 09/432,820  Filed: November 2, 1999  For: Membrane-Associated Immunogens of Mycobacteria	<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, with sufficient postage, addressed to the Director, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313 on <u>5/6/05</u></p> <p>Signed:  _____ Jere Valles</p>
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**PETITION TO WITHDRAW FROM REPRESENTATION**

Director, U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313

Sir:

Petitioner hereby requests permission to withdraw from further representation involving the above identified patent application.

The enclosed Power of Attorney specifically identifies the undersigned, Richard F. Trecartin, Reg. No. 31,801, as having Power of Attorney in this application. The law firm identified in this Power of Attorney is Flehr Hohbach Test Albritton & Herbert (the Flehr firm). The Flehr firm was acquired by Dorsey & Whitney LLP (the Dorsey firm) in May of 2002. We are located at the same address identified for the Flehr firm but with a name change to Dorsey & Whitney LLP.

It is submitted that the undersigned and the Dorsey firm have a Power of Attorney in this matter. Alternatively, the undersigned and the Dorsey firm have apparent authority to prosecute this patent application based upon our continuing activity in prosecuting this application after the acquisition of the Flehr firm by the Dorsey firm.

The basis for this request for withdrawal is as follows. Patentee owes the Dorsey firm in excess of \$10,000. That amount has accrued over the last three years. Patentee also owes in excess of \$10,000 to the Flehr firm. The undersigned has expended a substantial amount of time over the years and caused the Flehr and Dorsey firms to expend cash and services on

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Patentee's behalf. Yet, the Flehr and Dorsey firms have not received any substantial compensation from Patentee over the years.

There are no outstanding substantive matters involving this application. As such, no prejudice will occur upon the grant of this Petition to Withdraw.

Prompt and favorable consideration of this Petition is requested.

This Petition is being submitted under Section 1.36 which is not subject to the normal petition fee as set forth in Section 1.17(h). However, should any petition fee or other fee be required in this matter, the Director is authorized to charge Deposit Account No. 50-2319 (Order No. A-57004-4/RFT [466252-9]).

All future correspondence, other than the decision on this petition, should be forwarded to:

Dr. Archana Kapoor  
Dr. Anil Munshi  
3623 Caminito Carmel Landing  
San Diego, California 92130

Respectfully submitted,

DORSEY & WHITNEY LLP

Date May 5, 2005  
Four Embarcadero Center, Suite 3400  
San Francisco, California 94111  
Telephone: (415) 781-1989  
1165393

  
Richard F. Trecartin, Reg. No. 31,801

Customer No. 32940



DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MEMBRANE-ASSOCIATED IMMUNOGENS OF MYCOBACTERIA

the specification of which

(check  one) is attached hereto.

was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status)  
(patented, pending, abandoned)

(Application Serial No.) (Filing Date) (Status)  
(patented, pending, abandoned)

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I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Thomas O. Herbert, Reg. No. 18,612; Donald N. MacIntosh, Reg. No. 20,316; Jerry G. Wright, Reg. No. 20,165; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Willis E. Higgins, Reg. No. 23,025; Gary S. Williams, Reg. No. 31,066; Richard F. Trecartin, Reg. No. 31,801; C. Michael Zimmerman, Reg. No. 20,451; Walter H. Dreger, Reg. No. 24,190;

: provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to Richard F. Trecartin at (415) 781-1989.

Address all correspondence to:

FLEHR, HOHBACH, TEST,  
ALBRITTON & HERBERT  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111

File No. A-57004/RFT

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
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